

EXHIBIT B

Highly Confidential - Attorneys' Eyes Only

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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ORACLE AMERICA, INC.,)
Plaintiff,)
vs.) No. CV 10-03561 WHA
GOOGLE, INC.,)
Defendant.)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
VIDEOTAPED DEPOSITION OF CHRISTOPHER PLUMMER
THURSDAY, FEBRUARY 16, 2012

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Videotaped Deposition of CHRISTOPHER PLUMMER,
taken on behalf of Defendant, at Morrison & Foerster,
755 Page Mill Road, Palo Alto, California, commencing
at 4:58 p.m., Thursday, February 16, 2012, before
Sandra Lee Hockin, CSR 7372.

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1 APPEARANCE OF COUNSEL:

2
3 FOR PLAINTIFF ORACLE AMERICA, INC.:

4 BOIES, SCHILLER & FLEXNER, LLP

5 BY: FRED NORTON, ESQ.

6 1999 Harrison Street, Suite 900

7 Oakland, California 94612

8 (510) 874-1000

9 fnorton@bsfllp.com

10
11 FOR DEFENDANT GOOGLE, INC.:

12 KEKER & NAN NEST

13 BY: REID P. MULLEN, ESQ.

14 633 Battery Street

15 San Francisco, California 94111-1809

16 (415) 773-6697

17 mullen@kvn.com

18
19 Also present:

20 Sean Grant, Videographer

21 Andrew Temkin, In-house counsel for Oracle

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CHRISTOPHER PLUMMER,

after having been duly sworn, testified as follows:

---o0o---

THE VIDEO OPERATOR: Good afternoon. We are
on the record. The time is 4:58 p.m., and the date is 04:58
February 16, 2012. This is the videotaped deposition
of Mr. Chris Plummer. My name is Sean Grant. I'm
here with Sandy Hockin, the court reporter, for
Veritext National Deposition and Litigation Services
at the request of counsel for the defendant. 04:59

This deposition is taking place at Morrison
Foerster in Palo Alto, California. The caption of
this case is Oracle America, Inc. versus Google, Inc.;
Case No. CV 10-03561 WHA.

Please note that audio and video recording 04:59
will take place unless all parties have agreed to go
off the record. Microphones are sensitive and may
pick up whispers, private conversations and cellular
interference.

At this time, will counsel and the witness 04:59-
please identify yourself for the record.

THE WITNESS: My name is Christopher Plummer.

MR. NORTON: Fred Norton of Boies, Schiller &
Flexner for Oracle America.

MR. TEMKIN: Andrew Temkin, Oracle America. 04:59

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1 MR. MULLEN: Reid Mullen of Keker & Van Nest
2 for defendant Google.

3 THE VIDEO OPERATOR: Will the court reporter
4 please swear in the witness.

5 (Oath administered by the court reporter.)

6 EXAMINATION

7 BY MR. MULLEN:

8 Q. Good afternoon, Mr. Plummer. Could you
9 please state your full name and address for the
10 record? 05:00

11 [REDACTED]
12 [REDACTED]

13 Q. And have you ever been deposed before?

14 A. No, I have not.

15 Q. Have you ever testified at trial? 05:00

16 A. No. I was to appear once but ended up not
17 having to testify.

18 Q. Okay. I'm sure you already talked about most
19 of this stuff with your attorney, but I'll go over
20 some of the ground rules briefly. 05:00-

21 You understand you're under oath today?

22 A. Yes.

23 Q. I'll be asking the questions; you provide
24 answers. If you don't understand any of my questions,
25 please feel free to ask me to clarify a question or to 05:00

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1 MR. NORTON: Objection to form.

2 THE WITNESS: And the --

3 MR. NORTON: You can answer.

4 THE WITNESS: So for the other patents -- for
5 all -- so I should add the spreadsheet also included 05:40
6 the authors and either the filing date and/or the
7 issue date.

8 BY MR. MULLEN:

9 Q. So for all the patents that you reviewed,
10 other than the five to ten patents, you just looked at 05:40
11 a spreadsheet that had the abstract, the title, the
12 author and either the issues date or the filing date
13 of the patent?

14 A. Yes, that is correct.

15 I should add that a lot of the patents were 05:40
16 familiar to me, so there were some where I quickly
17 understood what the patent was about.

18 Q. Why were those patents familiar to you?

19 A. Some of them were from technologies within
20 the group I've been working in; some of them I wrote; 05:40

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED] 05:41

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9 [REDACTED]

10 [REDACTED] [REDACTED] 05:41

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12 [REDACTED] [REDACTED]

13 [REDACTED] [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED] 05:41

16 [REDACTED] [REDACTED]

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10 [REDACTED] 06:06
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14 MR. NORTON: We've been going for a bit over
15 an hour. Mind if we take a little break? 06:06

16 THE WITNESS: I'm okay. If you want a
17 break --

18 MR. MULLEN: Let's take a quick break, just
19 to check on time, and then I would like to just let my
20 family know what the estimate is. 06:06

21 THE VIDEO OPERATOR: Going off the record.
22 The time is 6:06 p.m.

23 (Recess taken.)

24 THE VIDEO OPERATOR: Back on the record. The
25 time is 6:20 p.m. 06:20

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1 BY MR. MULLEN:

2 Q. Good evening, Mr. Plummer. You understand
3 you're still under oath?

4 A. I do.

5 MR. NORTON: Were you able to get a count? 06:20

6 THE VIDEO OPERATOR: Six hours thirty minutes
7 today.

8 MR. NORTON: Thank you.

9 BY MR. MULLEN:

10 [REDACTED] 06:20

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED] 06:21

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1 STATE OF CALIFORNIA) ss:
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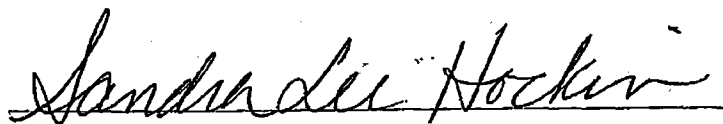
3 I, SANDRA LEE HOCKIN, C.S.R. No. 7372, do hereby
4 certify:

5 That the foregoing deposition testimony was
6 taken before me at the time and place therein set
7 forth and at which time the witness was administered
8 the oath;

9 That the testimony of the witness and all
10 objections made by counsel at the time of the
11 examination were recorded stenographically by me,
12 and were thereafter transcribed under my direction
13 and supervision, and that the foregoing pages
14 contain a full, true and accurate record of all
15 proceedings and testimony to the best of my skill
16 and ability.

17 I further certify that I am neither counsel for
18 any party to said action, nor am I related to any
19 party to said action, nor am I in any way interested
20 in the outcome thereof.

21 IN WITNESS WHEREOF, I have subscribed my name
22 this 17th day of February, 2012.

23 
24

25 SANDRA LEE HOCKIN, C.S.R. No. 7372

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